REMARKS

Claims 1-9 are in this application.

Applicants again want to thank the Examiner for the courtesy of conducting a telephone interview with applicants' representative on December 9, 2009. During the interview, U.S. Patent 5,958,780 (Asher) was discussed. The generation of the random numbers to identify the marker was also discussed.

According to the Examiner, claims 1-9 are anticipated by U.S. Patent 5,958,780. This is respectfully traversed.

According to the specification "Original concentrations of markers are selected at random using the generated for this purpose random numbers. The marking code formed after marking, which contains data about the markers used for marking, in encrypted and used for marking, is encrypted and upon identifying of the marked liquid this encryption code is used as a key to set-up of measuring and analyses procedures performed by marker reader (MR)". As explained to the Examiner during the interview, the numbers used as the marking code are random.

The marking, encrypting and decrypting process described and claimed in the application is performed as follows:

The set of markers is defined for further marking. Such set can consist of N different markers with serial number ***n*** ranging from 1 to N. This is so that it is possible to detect each marker in presence of other markers. This is disclosed on page 4, lines 17-27. This is a BASIC SET used for marking.

Next, for each marker a minimal portion (unit dose) to be introduced is defined. The minimal portion shall be such that this marker must be detectable in presence of other markers even if the minimal portion has been introduced and irrespective of the amount of the other markers introduced (even if the maximal amount of other markers has been introduced).

The number of possible portions ***m*** for each marker is to be determined. Thus, the number of portions ***m*** which is determined for a marker used for marking is ranged from

1 to M. This is described on page 4, line 27 and page 7, line 32-page 4, line 4. While marking the liquid, every marker is introduced into the liquid preferably by multiples of this minimal portion.

For example, a BASIC set consists of 10 markers (N=10), 3 markers are used in marking procedure, and every marker can be added to the liquid in amount of portions ranging from 1 to 6. (The same can be done with 2 markers and 1 to 10 portions, or 4 markers and 1 to 5 portions etc. That means that any combination is useable).

To start marking, the software generates **3 random** serial numbers n_1 , n_2 ,n_3. from the set 1 to N. It selects the serial numbers of markers, which will be added to the liquid, from BASIC set of 10 markers, Another set of **random** numbers m_1, m_2, m_3 from the range of 1 to M is generated to manage the Marking Station (MS) for addition of m_1, m_2, m_3 portions of markers n_1 , n_2 ,n_3 to the liquid (this has been disclosed on page 7, line 32-page 8, line 4 and in the Example. In that case the markers and their concentration are selected in a **random way** from pre-defined set (this has been disclosed on page 7, linese 17-21). After introducing the markers into the liquid (after marking the liquid) the corresponding concentrations of markers c_1, c_2, c_3 and their ratios $i_1 = c_1/c_2$; $i_2 = c_2/c_3$; and $i_3 = c_1/c_3$ are detected by Marker Reader from the marked liquid.

As the selection of markers and their concentrations is done in a random way, the concentrations of markers and their ratios are also not pre-defined. A fixed combination of numbers < n_1 , n_2 , n_3 ; m_1, m_2, m_3 ; c_1, c_2, c_3 ; i_1, i_2, i_3 >, obtained after the marking and concentrations' and ratios' detecting process, serves as a marking code. The code is random by its nature and further encrypted to protect the information from disclosure.

Such encrypted code is the only information delivered together with the marked liquid to authorized customer. Upon receiving the encrypted code, the authorized customer enters the code into Marker Reader (MR) and the MR decrypts the whole code< n_1 , n_2 , n_3 ; m_1, m_2, m_3 ; c, c_2, c_3; i_1, i_2, i_3 > which further is used by the MR in the following way: the values of n_1 , n_2 , n_3 ; m_1 , m_2 , m_3 (the first part of the code) serve for automatic setup of the measuring settings of Marker Reader for further measurement of real concentrations C of markers in the liquid received and calculating the real ratios I (disclosed on page 8, lines 6-12). When Marker Reader is configured according to the

first part of the code, it reads **from the received liquid** the real concentrations of markers C_1, C_2, C_3 and defines their real ratios I_1 , I_2 , I_3 to compare with the second part of the code c_1, c_2, c_3 ; i_1, i_2, i_3 for authentication. The authentication is confirmed when the detected values correspond to the original code (disclosed on page 8, lines 22-25). The only information the authorized customer will receive from the Marker Reader is: **Authentication YES or NO**. **NO** means that the liquid is not the same as the original liqid.

In such way of marking there is no any reference table (look-up table according to Asher et al.) used for verification, the information in the code is all-sufficient to identify the marked liquid. **The computer program installed in the Marker Reader does not include any predetermined values** of ***n, m, c*** and ***i*** either. **For the authentication purpose the user receives only the encrypted code, and there is no other information available for him and needed for the identification of the liquid.**

Asher does not disclose the use of an encryption code and the Examiner's attention is drawn to page 10 of the specification. As Asher does not disclose all of the elements of claims 1-9 it cannot and does not anticipate these claims.

It is respectfully requested that this rejection be withdrawn.

It is submitted that the application is in condition for allowance and favorable consideration is respectfully requested.

Respectfully submitted,

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